Nova Scotia

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ANNUAL REPORT

for the fiscal year
ending March 31, 1990

Department of Labour

ISSN 0835-3182

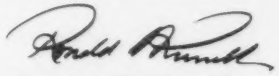
To His Honour

The Honourable Lloyd Crouse, P.C.
Lieutenant-Governor of Nova Scotia

Sir:

I have the honour to submit herewith the annual report of the Department of Labour for the fiscal year ending March 31, 1990.

Respectfully submitted



Ronald S. Russell, C.D.
Minister of Labour

To the Honourable Ronald S. Russell, C.D.
Minister of Labour

Sir:

I have the honour to submit herewith the report for the Department of Labour for the fiscal year ending March 31, 1990.

Respectfully submitted,

H.R. Macdonald
Deputy Minister

93-00776/

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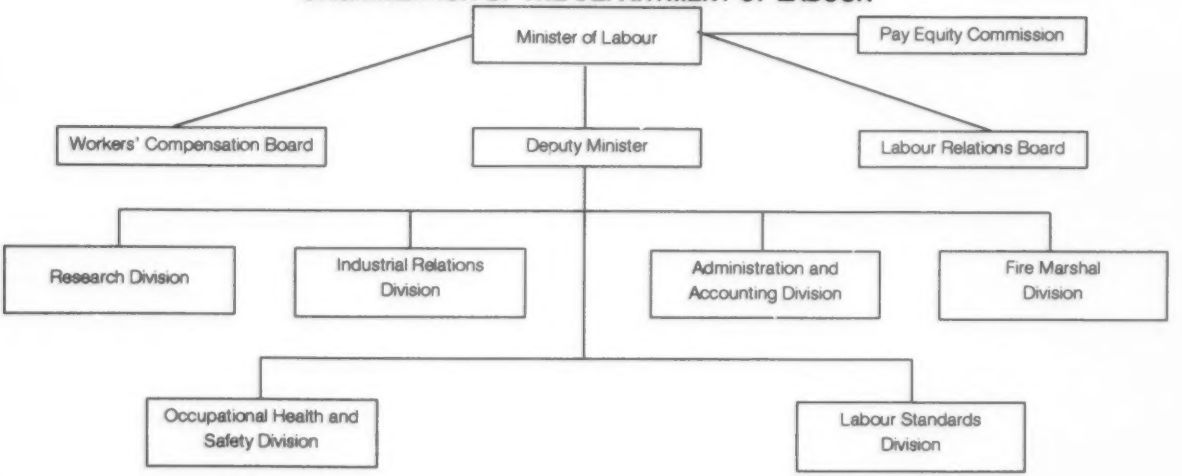
ORGANIZATION OF THE DEPARTMENT OF LABOUR



*Total Personnel
Excluding Part-time
Boards and Commissions—131

ADMINISTRATIVE PERSONNEL

Office of the Minister and Deputy Minister

Minister ..... Ronald S. Russell, C.D.
Deputy Minister ..... H.R. Macdonald
Assistant to the Deputy Minister ..... P.F. Langlois

Administration and Accounting Division

Director of Office Services ..... P.G. Horne

Industrial Relations Division

Director of Conciliation Services ..... W. McCallum

Research Division

Director ..... J. Gordon

Occupational Health and Safety Division

Executive Director ..... J.F. Noonan
Director, Occupational Safety Section ..... Vacant
Chief Inspector, Construction Safety ..... J. Whitenect
Chief Inspector, Industrial Safety ..... G.E. Muise
Director, Occupational Health Section ..... J. LeBlanc
Director, Mine Safety Inspection and Mine Rescue Section ..... C. White
Director, Accident Prevention Section ..... Jack Herbin

Labour Standards Division

Director ..... A.R. Mitchell

Office of the Fire Marshal

Fire Marshal ..... T. Makin

Stationary Engineers Board

Chairman	C.W. Purcell
Inspector-Examiner	K.W. Daniels
Members	R.I. McNabb
	A.B. Hill
	F.J. MacDonald
	W.C. Harris

Labour Relations Board

Chairman	Judge R.J. McCleave
Vice-Chairman	P.E. Darby
Chief Executive Officer	K.H. Horne
Members	Garnet C. McDade
	A.R. Harrington
	L.F. McKay
	M. McIntyre
Alternate Members	F.J. Creaser
	J.G. MacDonald
	E.M. MacNeil
	M. Macdonald

Construction Industry Panel—
Labour Relations Board

Chairman	Judge R.J. McCleave
Vice-Chairman	P.E. Darby
Chief Executive Officer	K.H. Horne
Members	F.J. Creaser
	E.M. MacNeil
Alternate Members	J.G. MacDonald
	D. MacDonald
	A.R. Harrington
	L.F. McKay
	C. "Mark" Cleary
	B. McCulloch

Labour Standards Tribunal

Chairman	Stephen Mont
Executive Officer	G. Ross
Members	M.H. Martell
	Ann Hebb
Alternate Member	Cheryl Taylor

Minimum Wage Board

Chairman	Arnold Meisner
Members	F. Belshaw
	D. Cook
	G. Davis
	A. Meisner
	B. Ross

Board of Examiners for the Certification of Blasters

Chairman	D.D. Todd
Members	Walter G. Bisson
	Edward W. Carlson

Board of Examiners of Mining Examinations

Chairman	K. MacLeod, P.Eng.
Members	A. MacKenzie, P. Eng.
	J. Reid, P. Eng.
	H. Slaunwhite, P. Eng.
Secretary	C. White, P. Eng.

INTRODUCTION

The Nova Scotia Department of Labour marked 58 years of service to labour, management, and the general public on March 31, 1990.

The act that established a department of the government of Nova Scotia called the Department of Labour, to be presided over by the Minister of Labour, was passed March 31, 1932. The annual report for the first year's operation of the department included reports of the Minimum Wage Board, Employment Services Office, and the Supervisor of Unemployment Relief. Of those three, only the Minimum Wage Board remains today.

The department was assigned additional responsibilities of manpower training in 1981 with the proclamation of new legislation that also changed the department's name to the Department of Labour and Manpower.

In November 1985 the Manpower Section was transferred from the Department of Labour and Manpower and combined with the Vocational and Technical Training portion of the Department of Education to form the new Department of Human Resources, Development and Training. On June 25, 1986 the department was renamed the Department of Vocational and Technical Training.

On January 1, 1986, the Department of Labour and Manpower assumed responsibility for occupational health and safety matters when the new Occupational Health and Safety Act was proclaimed.

On June 25, 1986 the department's name was changed to the Department of Labour.

The Department of Labour is also responsible for industrial relations, labour standards, fire prevention and protection, and labour research. Fire prevention and protection are covered in the annual report of the Fire Marshal.

OCCUPATIONAL HEALTH AND SAFETY DIVISION

The mandate of the Occupational Health and Safety Division is to contribute to the health and safety of workplaces in Nova Scotia.

The division fulfills this mandate by:

1. conducting inspections and audits of workplaces and investigations of incidents to assure compliance with occupational health and safety legislation and it ensures safe work situations and practices

2. providing occupational hygiene and health programs to reduce workplace health and safety hazards as well as assisting in restoring the health of individuals

3. offering workshops, seminars, and courses on various health and safety topics

4. providing health and safety information and advice to workers and employers.

The division also administers acts and regulations dealing with public and technical safety with regards to steamboilers, pressure vessels, refrigeration plants, welding procedures, elevators, lifts, and amusement devices as well as the certification of power plants and stationary engineers in Nova Scotia.

Boards of examiners are associated with the division as provided by the acts and regulations. They are the Coal Miners Examination Board, the Stationary Engineers Board, and the Blasters Certification Board.

OCCUPATIONAL HEALTH AND SAFETY ACT

The Occupational Health and Safety Act embraces all workplaces in the province and is designed to protect all workers from the hazards with which they may come in contact at the work place.

When the Occupational Health and Safety Act became law the Industrial Safety Act and the Construction Safety Act were repealed, but the regulations of each of these acts were maintained as regulations pursuant to the Occupational Health and Safety Act.

The Occupational Health and Safety Act requires that employers ensure the health and safety of workers at the workplace. Inspectors appointed under the authority of the act may enter any workplace at any reasonable hour of the day or night to inspect, conduct tests, or conduct investigations. Inspectors may also examine documents or plans to discuss the matters of concern with people who are involved, or summons people who are involved or who give evidence.

An inspector appointed under the authority of the act may issue a stop work order setting out that certain directions must be carried out within such time as specified. A stop work order may be issued for an entire workplace or any part of a workplace.

The division issued 81 stop work orders in 1989–90. In the majority of cases, unsafe conditions were attended to before the effective time and date of the stop work order.

Occupational Safety

The function of the Occupational Safety Section is to ensure that the safety and health of the public is protected by the effective administration of acts and regulations pertaining to steam boilers, pressure vessels, refrigeration plants, welding procedures, industrial establishments, elevators and lifts, construction projects, and amusement devices.

This division also has the responsibility of administering the Stationary Engineers Act and Regulations, which control the certification of all power plants and stationary engineers in Nova Scotia.

Subsequent to October 31, 1989, inspectors under the occupational safety and mine safety sections were appointed as inspectors under federal Hazardous Products Act to enforce sections of the Workplace Hazardous Materials Information System (WHMIS) regulations.

The Occupational Safety Section applies regulations and safety codes in order to maintain safe conditions related to equipment and work and installation of certain types of mechanical equipment. The experience gained by the application of code rules is periodically assessed to determine the need for improving the rules. A code rule or a regulation may be modified; in all such cases a minimum acceptable safety standard must be the basis for any modification.

The Department of Labour contributes to the development of codes and standards principally by way of representation on committees of the Canadian Standards Association.

Inspections on elevating devices and boilers and pressure vessels were carried out on behalf of Labour Canada.

Six fatal accidents were reported to the Occupational Health and Safety Division during this fiscal period.

Steam Boiler and Pressure Vessel Act

The Steam Boiler and Pressure Vessel Act applies to steam boilers operating at a pressure in excess of 15 pounds per square inch and having an inside diameter of more than six inches. The act also applies to refrigerator plants having a capacity in excess of three tons in 24 hours. Boilers, pressure vessels, and refrigeration plants are initially inspected after installation and subsequently inspected on a regular basis in order to check on conditions that bear upon the life and safe operation of the equipment.

Equipment subject to the Steam Boiler and Pressure Vessel Act is substantially constructed in accordance with the Canadian Standards Association Code for the Construction and Inspection of Boilers and Pressure Vessels. The inspection of equipment manufactured in Nova Scotia is carried out by a provincial inspector; equipment manufactured outside Nova Scotia and for use in the province is subject to inspection by a recognized authority in the United States or Canada and is acceptable under the act upon the basis of an affidavit from the manufacturer.

Welders engaged in boiler and pressure vessel construction or repair are tested under Section XI of the American Society of Mechanical Engineers' Code for welding qualifications. A total of 1,375 welders were tested during the fiscal year.

Elevators and Lifts Act

The Elevators and Lifts Act applies to the installation of elevating devices for the physically disabled, passenger and freight elevators, escalators, dumbwaiters, manlifts, and incline lifts such as ski-lifts and T-bars. The act also applies to major and minor alterations to elevating equipment. The owners of elevators and lifts are required to have their equipment inspected at least once annually.

The latest edition of the Canadian Standards Association Safety Code for elevators, dumbwaiters, and escalators is the standard that is followed by the inspectors in carrying out their duties under the act and regulations.

The Elevators and Lifts Act requires that no person shall commence a new installation or a major alteration of an elevator, dumbwaiter, escalator, manlift, or incline lift until the drawings and specifications have been approved by the chief inspector.

No owner of an elevator, dumbwaiter, escalator, manlift, or incline lift shall operate it or cause or permit it to be operated unless it is licensed under the act.

Amusement Devices Safety Act

The Amusement Devices Safety Act provides for the inspection and licensing of amusement devices and temporary structures at carnivals, fairs, and amusement parks.

The legislation ensures that the equipment is designed, assembled, dismantled, and operated in a manner that will guard against injuries to the general public.

In order to be operated, amusement equipment must be licensed. Licenses will be granted when a Certificate of Inspection has been issued and proof of financial responsibility has been provided to the Amusement Regulation Division, Department of Consumer Affairs. Financial responsibility means that insurance provisions have been made for persons injured or killed while in or about the equipment.

OCCUPATIONAL HEALTH AND SAFETY

Under the regulations pursuant to the Occupational Health and Safety Act, individuals who have exercised their right to refuse work they believe to be unsafe or those who feel they have been discriminated against for reasons prohibited by the Occupational Health and Safety Act may proceed through the Labour Standards Division when they are not subject to a collective agreement.

MINE SAFETY SECTION

Mine Safety Inspection and Mine Rescue

The section is responsible for healthy and safe working conditions in all mines under provincial jurisdiction. it is responsible for ensuring rescue training and this service is also provided to mines under federal jurisdiction.

The Mine Safety Section also administers and enforces the federal Explosive Act with respect to possession and storage of explosives on mine properties. A system of licenses and permits supported by inspections is used to enforce the act.

Routine mine inspections are conducted under the authority of the Occupational Health and Safety Act, the Coal Mines Regulations Act, and the Metaliferous Mines and Quarries Regulations Act.

There were 372 inspections plus 55 mine rescue station inspections. In addition, safety officers, on behalf of the Board of Examiners, conducted underground examination for certificates of competency for coal mines, mine examiners and hoist operators.

Mine Rescue

The Mine Rescue program is designed to promote the application of sound mine rescue principles:

- to protect those actively engaged in the work of recovery in emergency,
- to rescue people that may be trapped, and
- to rehabilitate the mine facilities.

The department has a fully equipped mine rescue station in Stellarton.

Mine Rescue Competition

The annual Provincial Mine Rescue Competition was held at the Miners Forum, Glace Bay, on June 23 and 24, 1989. Eight teams competed in six different tasks (written, gas and bench, first aid, firefighting, smoke

room, and obstacle task). Each task put the teams through simulated conditions that were as close as possible to a real emergency.

Trophies were given for each task and the overall trophy was won by a team from the Phalen Mine, Cape Breton Development Corporation captained by Robert McLean.

There was no National Mine Rescue Competition.

Offices and Personnel

In addition to the head office in Halifax, the Mines Division maintains branch offices in Glace Bay, Stellarton, and Springhill. The Stellarton office maintains a mine rescue emergency station, which contains mine rescue equipment that can be dispatched to mine emergencies anywhere in the province. A total of 17 self-contained breathing apparatus and associated mine rescue equipment is available to industry in the event of an emergency.

Mine Safety Training and Promotion

Promotion of safety in the mines is a continuing and primary goal of the section. Safety officers are actively engaged in promoting safety programs and meet frequently with management to review safety standards and practices in the mines. Before new mines are opened, staff meet with management to review mine plans and work methods to ensure that these standards are consistent with Nova Scotia legislation.

Persons working in mines are required to be certified with the levels of certification depending on the job being done. This certification process is administered by a board of examiners.

The section conducted 61 training sessions. These included training sessions in mine rescue and emergency first aid and underground mines.

SAFETY TRAINING SECTION

During the period in this report the Safety Training Section made 2,531 contacts with industry and institutions, 781 more than the previous fiscal period.

The following courses were conducted:

- five asbestos awareness programs (each course takes approximately three hours), involving 126 participants;
- 14 accident investigation courses (six hours), involving 190 participants.
- 16 health and safety committee courses (six hours), involving 132 participants.
- two entry into confined spaces courses (2 1/2 days), involving 26 participants, and
- six occupational ergonomicscourses (two days), involving 223 participants.

Workplace Hazardous Materials Information System (WHMIS)

The first of the two-day WHMIS programs for small businesses have been held throughout the province. There have been 1,995 participants who have attended 123 courses to date.

In addition, 12 WHMIS programs for small businesses have been held throughout the province. A total of 618 participants attended the one-day course.

The safety training section conducted a variety of programs dealing with accident prevention structures, awareness programing, responsibility/accountability programing, the Occupational Health and Safety Act, video presentations, and special program requests for in-plant programs.

The Management Guide to Loss Control home study program has been completed by 287 participants. That program has been replaced by the Practical Loss Control Leadership home study course. There have been 209 participants registered in that program to date.

Surveys have been conducted to determine the status of joint health and safety committees and to ascertain the training needs for forest harvesters. Results of the surveys will assist in establishing training priorities in the next fiscal year.

Demands for the services of the Safety Training Section continue to increase due to the existence of WHMIS Regulations and the trend

among larger firms requiring that contractors who bid on projects have all their employees trained in the WHMIS regulations.

Two new courses have been added for the next fiscal year. They are a method of instruction course for supervisory employees to improve their ability to train others, and a small business do-it-yourself package to upgrade the health and safety awareness and training of management and employees in small businesses.

Student Safety Awareness

The Coordinator of Student Safety Awareness contacts institutes of technology, adult vocational schools, community colleges, and other schools in the academic system. During the fiscal period the coordinator has:

- met with university presidents throughout Nova Scotia to outline their role in fulfilling their responsibilities under the Occupational Health and Safety Act
- conducted health and safety audits on a number of universities and schools throughout Nova Scotia
- conducted WHMIS Train-the-Trainer seminars for community colleges, high schools, universities, and general industry
- conducted a sampling procedure for a school board to demonstrate the health and safety audit process
- conducted a 2 1/2 week health and safety course for the Department of Education for 25 third-year student teachers at the Nova Scotia Teachers College, Truro
- made presentations to Atlantic Association of Universities groups on behalf of the Occupational Health and Safety Division and to students from community colleges. Approximately 2,000 people attended these presentations
- worked with staff in the media services section, Department of Education, to finalize production of audio-visual materials for students in kindergarten through grade three
- made representations on behalf of the Occupational Health and Safety Division to the Nova Scotia School Boards Association regarding their legal responsibilities under the Occupational Health and Safety Act

- initiated a new project for the continuing education division of the Department of Education to have WHMIS courses taught throughout Nova Scotia in the 21 school board systems, and

- acted as resource for meetings held at university levels to update WHMIS information.

OCCUPATIONAL HEALTH SECTION

The Occupational Health Section is responsible for providing resources to employers, employees, and government agencies to address occupational health and hygiene concerns in the workplace.

As in past years, the section was involved in promotional activities to create awareness of potential and actual hazards in the workplace. Our efforts were directed to control hazards and prevent work-related injury and disability. Section staff provide consultation services in the workplace, participate in educational training programs, and make available an information inquiry service.

During the year the section was staffed by a director, secretary, occupational health nurse consultant and three occupational hygienists. The staff encouraged the continuing development of occupational health and hygiene services through contact with the professional community providing services in the province.

Activities

The occupational hygienists and occupational health nurse consultant provided field services on a request basis. The section handled 2,575 telephone inquiries and responded to 625 requests for information. The section provided on-site services to approximately 225 clients in the 1989–90 fiscal year.

Ongoing promotion of the section's services included the participation of the occupational hygienists and occupational nursing consultant in lectures at short courses for government agencies, educational institutions, and employee- and employer-organized workshops. Staff also actively participate in committees at both the federal and provincial levels, as well as with professional associations in occupational health and hygiene fields.

RESEARCH DIVISION

The Research Division is responsible for developing and disseminating information related to collective bargaining activity and other labour-related issues in Nova Scotia. This information is then used in the formation of legislation, programs, and administrative policies. Publications and research undertaken by the division are made available to the department, as well as labour, management, other government agencies, and the general public.

RESEARCH ACTIVITY

During the period under review key provisions from all collective agreements received by the department are coded and maintained in a computerized data base. This data base provides immediate information regarding the terms and conditions of work for unionized employees in Nova Scotia.

The division publishes the *Industrial Relations Review*. Produced monthly, this publication provides timely information with respect to collective bargaining activity, workstoppage statistics, Labour Relations Board and Construction Industry Panel orders, and summaries of recent arbitration awards.

The division summarizes all grievance arbitrations filed with the department. These summaries provide the basis for the annual publication *Compendium of Grievance Arbitration Decisions*. The summaries of the arbitrations outline the issues, the arbitrator's decision, and the arbitrator's award. Issues are indexed according to the Brown and Beatty standard.

Labour Organizations in Nova Scotia 1989 was produced to supply interested parties with a directory of labour unions and the names and addresses of the principal officials associated with each. The publication also contains several statistical tables relating to union membership in Nova Scotia by union, size, location, and industry.

As well, the division responds daily to a wide variety of requests from labour, management, other government departments, and the general public. These requests focus primarily on recent activity in

collective bargaining, the provincial labour market, and general economic activity. On average the division handles 600 requests per year.

LIBRARY

The Department of Labour Library was established in 1970. At the end of the fiscal year there were approximately 5,000 titles (books and government documents) and approximately 375 periodical titles in the collection. Library holdings cover such areas as labour legislation, working conditions, industrial relations, fire prevention, and health and safety in the workplace. Computer software is being employed to automate library functions. This software is also being used to compile a database of Nova Scotia labour arbitration decisions for inclusion in the annual *Compendium of Labour Arbitrations*. The Library provides information and services to department staff, other government departments, unions, management, and the general public.

ADMINISTRATION AND ACCOUNTING DIVISION

The Administration and Accounting Division is the internal administration arm of the department. Essentially, it is responsible for the preparation and control of budgets and appropriations, and the efficient and economical utilization of staff, space, and equipment in consultation with directors of the various divisions. The director recommends promotions, compensation, disciplinary action, and terminations to the Deputy Minister after conferring with the directors concerned. The division coordinates the various administrative functions of the department and acts as liaison with other departments of government, the Civil Service Commission, and the Auditor General.

INDUSTRIAL RELATIONS DIVISION

The Trade Union Act establishes the right of employees to organize and sets out the procedure for orderly collective bargaining. In an endeavour to encourage and promote harmonious labour-management relations, the Industrial Relations Division was set up to provide conciliation and mediation services to labour and management impartially.

The Industrial Relations Division is charged with the administration of the Trade Union Act. Under the act, the duties and functions of the division are many and varied.

CONCILIATION/MEDIATION

This includes the appointment of Conciliation/Mediation Officers in labour-management disputes and the processing of Conciliation Board appointments and Industrial Inquiry Commissions regarding negotiations for a renewal or revision of the agreement or the conclusion of a new collective agreement.

Labour Relations Board

The Labour Relations Board and its Construction Industry Panel carry out the functions related to the certification of trade unions, revocation or amendment of certification and complaints related to jurisdictional disputes. The Board has numerous other functions including the investigation of alleged unfair labour practices and refusals to bargain.

Conciliation

A total of 200 cases were dealt with at the Conciliation Officer level; 48 of these were in process April 1, 1989, and 152 were new cases. Of the total, 105 cases were settled at the Officer level; one case lapsed at the Officer level; four were withdrawn and in two cases, certification was revoked. One case was referred to a Conciliation Board, which was a Construction Industry Board, and two cases were referred to Industrial Inquiry Commissions, leaving 85 cases pending March 31, 1990.

Conciliation Board Level

There was one case pending from the previous year at the Conciliation Board level. One Conciliation Board, which was a Construction Industry Board, was constituted during 1989–90 fiscal period. Both Boards settled at this level leaving no cases pending.

Industrial Inquiry Commission Level

There were no cases pending at this level from the 1988–89 fiscal year. Two Industrial Inquiry Commissions were appointed and settled at this level during the 1989–90 fiscal year.

Mediation

There were no cases referred to the Mediation Officer level during the 1989–90 fiscal year.

CONCILIATION BOARDS

1. Nova Scotia College of Art & Design AND Nova Scotia College of Art & Design Faculty Union

Chairman	William H. Kydd
Member	Donald H. McDougall
Member	Howard Epstein

Case Settled

Construction Industry Conciliation Board

2.	Construction Management Bureau Limited	AND	International Union of Elevator Constructors, Local 125
	Chairman		S. Bruce Outhouse
	Member		Gary Dean
	Member		Bruce MacDonald
			Case Settled

Industrial Inquiry Commissions

1.	Mount Saint Vincent University	AND	Mount Saint Vincent Faculty Association
	Commissioner		S. Bruce Outhouse
			Case Settled

2.	Acadian Lines Limited	AND	International Union of Operating Engineers, Local 721B
	Commissioner		S. Bruce Outhouse
			Case Settled

LABOUR STANDARDS DIVISION

The function of the Labour Standards Division is to deal with inquiries and complaints from the public about whether a specific employment-related problem is affected by the Labour Standards Code of this province. Investigations of specific employment-related situations are carried out and, if the Labour Standards Code is not being adhered to, the staff of the division takes action to ensure compliance with the Code. The Labour Standards Division also fulfills an advisory role to the public on how the Labour Standards Code should be applied to certain situations.

The Labour Standards Code contains provisions for the setting of minimum wage in all industries and the setting of industrial standards rates for the trades in the construction industry. It prohibits the employment of persons under 14 years of age, unless certain conditions are met, and persons under 16 years of age in certain industries. It requires employers to pay the same wage to female workers performing work that is substantially the same as that performed by male workers in the same establishment and requires that female employees who qualify be granted maternity leave. It requires employers to maintain certain information in their payroll records; it imposes the requirement that all employees receive vacation pay; it protects an employee's right to receive wages earned; and it requires that employees who qualify receive pay for certain designated holidays throughout the year. It requires employers and employees to give notice of termination of employment.

Any decision rendered by the Labour Standards Division may be appealed to the Labour Standards Tribunal of Nova Scotia, which is established under the provisions of the Labour Standards Code and empowered to make decisions concerning the application of the Code.

Labour Standards staff may, in the course of their duties, carry out routine inspections of an employer's payroll records as well as conduct investigations arising from specific complaints.

During the period of April 1, 1989, to March 31, 1990, routine inspections under the Labour Standards legislation were made throughout the province on 33 establishments, which, together, employed 360 employees. As a result, 15 firms, involving 85 employees, were found to be in violation.

During the same period, 1,349 firms were contacted on complaints and 669 firms were found to be in violation.

Complaints were filed by 2,481 persons: 2,018 complaints were resolved after investigation and 2,632 violations of the code were found in those investigations. Labour Standards Division collected $343,640.18 on behalf of these persons in situations where violations of the code were found. These violations of the code are broken down as follows:

Industrial Standards

Six trades in the construction industry in the City of Sydney and seven in the Cities of Halifax and Dartmouth come under the provisions of the Industrial Standards section of the Labour Standards Code.

The following rates were in effect in Halifax and Dartmouth at the end of the fiscal period:

Trade	**Rates Per Hour**
Carpentry Trade	$5.05
Plumbing, Steamfitting, and Pipefitting Trade	7.33
Labourers in Building Construction	5.80
Painting Trade	
Brush	4.50
Spray	4.65
Plastering Trades	6.38
Sheet Metal Trade	7.33
Electrical Trade	5.63
Charge Hand	5.78
Foreman	5.98

The following rates were in effect in Sydney at the end of the fiscal period:

Carpentry Trade	$5.95
Carpentry Foreman	6.40

Electrical Trade
- Industrial Manufacturing Construction Projects
- Charge Hand 4.55
- Foreman 4.70

Labourers
- Building Construction 5.25
- Non-working Foreman 5.75
- Jackhammer 5.60
- Vibrators, Compactors, Tampers 5.40
- Dynamite Helper 5.75
- Dynamite Blaster 6.25
- Concrete Storm and Sewer Pipelayer 5.50
- Job Service Truck 5.50
- Creosote Work 5.50
- Cement Finisher 5.85
- Sandblaster (masonry & concrete) 5.75
- Burner & Welder 5.75
- Signalman 5.50

Painting Trade
- Journeyman 5.35
- Foreman 5.85

Plumbing & Pipefitting Trades
- Journeyman 5.95
- Foreman 6.40

These rates in all cases are for a regular work week of 40 hours.

During the fiscal period no violation was found involving this section of the Labour Standards Code.

Hours of Labour

No violation involving this section of the Labour Standards Code was found.

Employment of Children

Two firms were found to be violation of this section of the Labour Standards Code, involving three employees.

Equal Pay

No violation involving this section of the Labour Standards Code was found.

Maternity Leave

No violation involving this section of the Labour Standards Code was found.

Records

One firm involving one person was found to be in violation of this section of the Labour Standards Code. Management was instructed to keep proper records and agreed to comply.

Vacation Pay

Because the owners cannot be located, 951 vacation stamp books, one envelope containing vacation stamps, and 126 cheques were held. The books contain stamps to the value of $7,211.98, the envelope contains stamps to the value of $1.23, and the cheques total $922.49.

There were 361 firms found to be in violation of this section of the Labour Standards Code. As a result of the investigations, 651 persons received $136,494.57 as vacation pay. No settlements were reached in cases involving 374 persons employed with 42 firms.

Minimum Wage

Thirty-six firms were found to be in violation of this section of the Labour Standards Code. As a result of the investigations, 45 persons were paid $4,115.45 as wages by their employers or former employers. There was no settlement reached on a violation involving one person employed by one firm.

Protection of Pay

There were 325 firms found to be in violation of this section of the code. As a result of the investigations, 1,815 persons received $147,195.94 as wages. No settlements were reached on violations involving 213 persons employed with 40 firms.

Termination of Employment

It was found that 133 firms were in violation of this section of the Labour Standards Code. As a result of the investigations, 135 persons were paid $49,320.25 as wages in lieu of notice by their former employers. There was no settlement reached on violations involving four persons employed in four firms.

Holidays with Pay

Forty-two firms were found to be in violation of this section of the code, which resulted in $6,513.97 as holiday pay being paid to 100 persons by their employers. There were no settlements reached on violations involving 12 employees employed by two firms.

Occupational Health and Safety

Under the Regulations pursuant to the Occupational Health and Safety Act, individuals who have exercised their right to refuse work they believe to be unsafe, or those who feel they have been discriminated against for reasons prohibited by the Occupational Health and Safety Act, may proceed through the Labour Standards Division when they are not subject to a collective agreement. During the period reported the Labour Standards Division received one inquiry from a worker who had felt he was being discriminated against. That inquiry was never put into writing as required by the Regulation by the employee affected.

BOARDS AND TRIBUNALS

LABOUR RELATIONS BOARD

During the fiscal year, the Labour Relations Board (Nova Scotia) issued 35 certification orders. In addition, nine applications were dismissed. Twelve applications for amendment were granted, while an additional seven were withdrawn and one dismissed. Eight board orders were revoked during the period.

The Board received two applications for reconsideration; both cases were withdrawn.

Four complaints of unfair labour practice were submitted to the Board, of which two were withdrawn. One case was dismissed while in another case a violation was found.

The Board received nine complaints of failure to negotiate. Five cases were withdrawn, one was dismissed, two more cases were ordered to bargain, and one case lapsed.

Five complaints regarding collective bargaining were received. Three complaints were withdrawn; one complaint was ordered to bargain;. one case was lapsed.

Under Section 29 (31) of the Trade Union Act, the Board granted five applications for successor rights; one was dismissed.

Under Section 30 (32) of the Trade Union Act, the Board received eight applications for declaration of successor rights. Six applications were granted; two were dismissed.

Construction Industry Panel of the Labour Relations Board

The Construction Industry Panel granted 70 applications for certification. Nine cases were dismissed and one was revoked.

One complaint of unfair labour practice was filed, but then was withdrawn.

Twelve complaints alleging illegal work stoppage were filed with the Panel: six were settled at the Officer level; six were issued interim orders; three more were rescinded; and three were confirmed.

One complaint alleging jurisdictional dispute was filed with the Panel, resulting in an interim order being issued.

Fourteen applications for an appeal of a Panel order were received, with four being confirmed, six withdrawn, three revoked and two dismissed.

Under Section 29 of the Trade Union Act, three applications were filed: the Panel granted one, and two were withdrawn.

LABOUR STANDARDS TRIBUNAL

The Labour Standards Tribunal is a part-time body that hears complaints of failure to comply with the Labour Standards Code. This code came into effect by proclamation on February 1, 1973.

Pursuant to the code, the complaints may be heard by the Labour Standards Tribunal in the form of appeals by employers or employees against the Director of Labour Standards Orders or appeals by complainants after the Director has found no violation of the code. If the Tribunal after hearing an appeal, finds wages or other benefits owing, it may issue an order for compliance. By a recent amendment to the code, the Tribunal is deemed to hold a mortgage on the assets of the employer for the amount set out in the order which takes priority over all other liens for wages due workmen. The Tribunal's mortgage may be enforced by foreclosure proceedings.

A breakdown of the sections of the code violated is shown below. A complaint may involve a violation of more than one section of the code.

Violation of	Total Complaints	Ordered To Pay	Dismissed	Settled	Withdrawn	No Hearing
Minimum Wage	7	6	—	—	1	—
Protection of Pay	32	20	5	3	1	3
Vacation Pay	47	31	6	3	3	4
Termination of Employment	31	16	7	3	2	3
Holiday Pay	3	3	—	—	—	—
	120	**76**	**18**	**9**	**7**	**10**

Of the 120 complaints, 76 orders were issued by the Tribunal, hearings were held on 59; 11 cases were settled before the hearing date, and on 7 cases no hearing was scheduled or held.

The Tribunal issued orders to pay amounting to $46,980.58, which represented monies owed to 63 employees. During the same period a total of $22,639.53 was collected in settlement of the above order affecting 31 employees. Monies were also collected amounting to $10,071.80 during the period, representing payment of Tribunal orders that were issued in previous fiscal years.

MINIMUM WAGE BOARD

The Nova Scotia Minimum Wage Board, under Chairman Arnold Meisner, met once during the year end and held several conference calls on matters within its jurisdiction. The following orders were in effect at the end of the period under review.

Minimum Wage Orders

These rates are for 48 working hours per week. Provisions are set out in the order for overtime, for workers on piece work and for deductions for board and lodging. All time during which an employee is required to wait for work on the employer's premises is counted as working time.

Minimum Wage Rates for Experienced Adult Workers

General Order, Beauty Parlour Order, Road Building and Heavy Construction Order, Logging and Forestry Order*:

Rates per Hour	Effective
$4.50	January 1, 1989

*Logging and Forestry Order: As of January 1, 1989, persons with no fixed work week earn $875 per month.

Minimum Wage Rate for Workers under 18 years

General Order:

Rate per Hour	Effective
$4.05	January 1, 1989

Minimum Wage Rate for Inexperienced Workers

General Order:

Rate per Hour	Effective
$4.05	January 1, 1989

Beauty Parlour Order:

Rates per Hour	Effective
$3.35 1st three months	January 1, 1989
$3.70 2nd three months	January 1, 1989
$4.05 3rd three months	January 1, 1989

STATIONARY ENGINEERS BOARD

A part-time board of examiners reviews and assesses all applications and examinations of persons seeking certification under the provisions of the Stationary Engineers Act. The Stationary Engineers Board consists of a chairman plus four other members. The day-to-day operations related to the administration of the act are carried out by a full-time staff.

BOARD OF EXAMINERS FOR THE CERTIFICATION OF BLASTERS

A part-time Board determines the subject matter in which applicants for Blasters' Certificates of Qualifications should be examined and provides for those examinations to ensure the safety of workers and the public at or near a site where explosives are to be used.

BOARD OF EXAMINERS OF MINING EXAMINATIONS

Under the Coal Mines Regulation Act, certain positions in underground coal mining must be filled by persons who must meet specified standards of fitness, training, and competency.

The Board of Examiners, appointed under the regulations, is responsible for overseeing the training and setting of examinations and issuing the Certificate of Competency.

The Board consists of five members and one ex-officio member from Labour Canada.

Training and examination for Certificates of Competency include mine manager, underground manager, supervisor, mine examiner, mine electrician (first- and second-class), mine mechanic (first- and second-class), and hoist operator.

The Board is also responsible for making recommendations to the Minister for changes to regulations as necessary for the Board to properly carry out its duties.

STATISTICS

OCCUPATIONAL HEALTH AND SAFETY DIVISION

Occupational Health & Safety Act

Inspections	2,742
Directions Issued	1,846
Prosecutions	4

Amusement Devices Safety Act

Initial Inspection	87
Re-Inspections	68
Surveys of Equipment	1
Total Inspections	156

Stationary Engineers Act

1. (a) Certificates granted by oral supp. exam 13
   (b) Certificates granted through examination 334

   Total 347

2. Applications for examination refused 20
   (In all such cases the applicants had insufficient practical experience on regular shift to qualify for the class of examination for which they applied).

3. Certificates revoked, cancelled, or suspended 1

4. Total fees received $28,365.00

5. New plant registrations 24
   (No fee required of plant registrations)

6. Total candidates examined 786
   Total number of papers passed 1,070
   Total number of papers failed 372

Inspections — Steam Boiler and Pressure Vessel Act

Internal Inspections	521
External Inspections	1,188
Inspections of New Installations	258
Shop Inspections of Constructions	200
Plant Inspections	118
Piping	153
Hydrostatic Tests	223
Refrigeration Plants	58
Safety Valves Tested	45
Removed from Service — Boilers	4
Removed from Service — Pressure Vessels	1
Accident Investigations	2
Total Inspections	2,771

Related Services — Steam Boiler and Pressure Vessel Act

X-Rays Examined	6,993
Survey and Registration of Drawings	415
Reports Processed from Insurance Companies	2,659
Welding Tests	1,375

Inspections — Elevators and Lift Act

Annual Inspections — Department	696
Inspections — New Installations	164
Inspections — Major Alterations	8

Mine Safety Inspection Statistics

Total Inspections	372
Total Infractions (Occupational Health and Safety Act, Coal Mines Regulation Act, Metalliferous Mines and Quarries Act	125
Mine Rescue Station Inspections	55
Mine Rescue Classes Conducted	55
Reportable Accidents	185
First Aid Classes	6

INDUSTRIAL RELATIONS

Conciliation Officer Level	**1989–90**		**1988–89**	
In process April 1, 1989	48		46	
New during period	152	200	128	174
Settled at Officer level	105		107	
Referred to Conciliation Board	1		6	
Referred to Industrial Inquiry Commission	2		1	
Referred to mediation	0		1	
Referred to arbitration — Teachers Collective Bargaining Act	0		1	
Conciliation lapsed	1		5	
Conciliation withdrawn	4		2	
Business closed	0		1	
Certification revoked	2		0	
Reported inactive	0		2	
In process March 31, 1990	85		48	
Total Number of Cases at Officer Level		200		174
Conciliation Boards				
In process April 1, 1989	1		0	
New during period	1	2	4	4
Settled at Board level	2		3	
In process March 31, 1990	0		1	
Total Number of Cases at Board Level		2		4
Industrial Inquiry Commission Level				
In process April 1, 1989	0		0	
New during period	2	2	1	1
Settled at Commission level	2		1	
In process March 31, 1990	0		0	
Total Number of Cases at Commission Level		2		1

Mediation Level	**1989–90**		**1988–89**	
In process April 1, 1989	0		0	
New during period	0	0	1	1
Settled during period	0		1	
In process March 31, 1990	0		0	
Total Number of Cases at Mediation Level		0		1

LABOUR RELATIONS BOARD AND CONSTRUCTION INDUSTRY PANEL — SUMMARY OF ACTIVITIES

	Board		Panel	
	1989–90	1988–89	1989–90	1988–89
Application for Certification				
Granted	26	23	70	59
Dismissed	9	17	9	10
Withdrawn	—	1	—	2
Revoked	—	—	1	—
Lapsed	—	—	—	—
Application for Amendment Orders				
Amended	12	7	—	—
Varied	2	—	—	—
Dismissed	1	—	6	—
Withdrawn	7	2	—	—
Confirmed	—	—	—	—
Application for Revocation of Certification				
Revoked	8	7	—	—
Dismissed	—	—	1	1
Withdrawn	—	—	1	1
Lapsed	—	—	1	—
Complaints of Unfair Labour Practice				
Violation found	1	3	—	2
Dismissed	1	1	—	—
Withdrawn	2	5	1	—

	Board		Panel	
	1989–90	1988–89	1989–90	1988–89
Complaints, Failure to Negotiate, Sections 33(a) 35(a)				
Ordered to bargain	2	1	—	—
Violation found	—	—	—	—
Dismissed	1	—	—	—
Withdrawn	5	1	—	—
Complaints re Collective Bargaining, Sections 33(b) 35 (b)				
Order to bargain	1	—	—	—
Violation found	—	—	—	—
Dismissed	—	—	—	—
Withdrawn	3	1	—	—
Lapsed	1	—	—	—
Application for Reconsideration of Board or Panel				
Granted	—	—	—	—
Dismissed	—	1	2	1
Withdrawn	2	—	—	2
Revoked	—	—	1	—
Application for Declaration of Successor Rights, Section 29 (31)				
Granted	5	3	1	2
Dismissed	1	—	—	1
Withdrawn	—	—	2	3

	Board		Panel	
	1989/90	1988/89	1989/90	1988/89
Application for Declaration of Successor Rights Section 30 (32)				
Granted	6	2	—	—
Dismissed	2	—	—	—
Withdrawn	—	—	—	—
Complaints Alleging Illegal Work Stoppage				
Interim order	1	2	6	—
Dismissed	—	—	—	1
Withdrawn	—	—	—	—
Settled at Officer level	1	1	6	3
Rescinded	—	—	3	—
Confirmed	—	—	3	—
Lapsed	1	—	—	—
Complaints Alleging Jurisdictional Disputes, Section 50 (52)				
Interim order	—	—	1	2
Dismissed	—	—	—	—
Withdrawn	—	—	—	—
Confirming order	—	—	—	—
Prohibited Activity of Union Section 52(a)				
Withdrawn	—	—	1	—

	Board		Panel	
	1989–90	1988–89	1989–90	1988–89
Prohibited Activity of Union Section 52(d) [54(d)]				
Dismissed	—	1	—	—
Section 53 (56)				
Withdrawn	—	1	—	—
Application for Request for a Hearing of Panel, Section 93 (96)				
Confirmed	—	—	4	3
Revoked	—	—	3	1
Withdrawn	—	—	6	—
Dismissed	—	—	2	—
Applications Arising from Section 28 (30)				
Withdrawn	—	1	—	—

WORKSTOPPAGE STATISTICS FOR NOVA SCOTIA[1]

April 1989 — March 1990

	Workstoppages			Persondays Lost		
	legal	un[2]	total	legal	un[2]	total
Industry						
Construction	2	3	5	1,071	1,134	2,205
Fishing	0	0	0	0	0	0
Forestry	0	0	0	0	0	0
Manufacturing	0	1	1	0	175	175
Mining	0	1	1	0	268	268
Public Admin	0	1	1	0	130	130
CBPS[3]	8	3	11	17,586	87	17,673
Trade	2	1	3	748	35	783
TCU[4]	2	0	2	3,811	0	3,811
Total	**14**	**10**	**24**	**23,216**	**1,829**	**25,045**
Duration						
One day or less	1	6	7	15	434	449
2 to 6 days	5	4	9	628	1,395	2,023
7 to 31 days	4	0	4	5,743	0	5,743
31 or more days	4	0	4	16,830	0	16,830
Total	**14**	**10**	**24**	**23,216**	**1,829**	**25,045**
# Workers						
50 or less	7	5	12	13,798	172	13,970
51 to 200	7	4	11	9,418	773	10,191
201 to 500	0	1	1	0	884	884
More than 500	0	0	0	0	0	0
Total	**14**	**10**	**24**	**23,216**	**1,829**	**25,045**
PDL[5]						
50 or less	2	5	7	51	172	223
51 to 200	3	3	6	381	505	886
201 to 500	1	1	2	211	268	479
More than 500	8	1	9	22,573	884	23,457
Total	**14**	**10**	**24**	**23,216**	**1,829**	**25,045**

1 preliminary figures

2 UN = unofficial

3CBPS = community, business, & personal services

4TCU = transportation, communications, & other utilities

5PDL = persondays lost